

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA	§	CRIMINAL CASE NO.
	§	
v.	§	1:16-cr-00237-RWS-JSA
	§	
JAMES G. MALONEY,	§	
	§	
Defendant.	§	

**DEFENDANT’S MOTION FOR LEAVE TO OBJECT TO
VOIR DIRE QUESTIONS**

Defendant James G. Maloney moves for leave to object to two of the Government’s proposed *voir dire* questions. The Court had previously set the Pretrial Conference in this case for Monday, May 1, 2023. In its Order dated April 18, 2023, the Court ordered that the parties file their proposed *voir dire* questions no later than three business days before the Pretrial Conference. *See* Dkt. # 182, p. 2. The Court furthermore ordered that the opposing party may file objections to proposed questions not later than one business day before the Pretrial Conference. *Id.* The Court subsequently granted Dr. Maloney’s Motion to Continue Pretrial Conference, Dkt. # 184. *See* Dkt. # 186.

The Government filed its Proposed *Voir Dire* Questions, Dkt. # 185, on April 25, 2023. Due to mistake, inadvertence or excusable neglect, counsel for Dr. Maloney did not note the filing until today.

Dr. Maloney would object to the Government's Proposed *Voir Dire* Question Number 12 in its statement that the Court has "ordered" that the appearance of any current or former employees of the Central Intelligence Agency (CIA) be disguised. *See* Dkt. # 185 p. 5. Upon information and belief, the defense does not believe that the Court has ordered that any current or former CIA employees be disguised. Dr. Maloney would furthermore object to the statement in the Government's Proposed *Voir Dire* Question Number 12 that the Court has ordered that "a screen be placed in front of the witness while the witness is testifying..." to the extent that it implies that the witness will be screened off from the jurors themselves and is potentially confusing, and suggests that the sentence simply read that "the Court has ordered that a screen be placed between the witness and any members of the public who might be observing the trial."

Dr. Maloney would also object to the Government's Proposed *Voir Dire* Question Number 18 on the grounds that it is misleading and prejudicial to Dr. Maloney concerning both Georgia Tech Research Institute's policies regarding

consulting during the timeframe alleged in the Indictment, and the actual consulting work performed by Dr. Maloney. *See* Dkt. # 185 p. 5.

Dr. Maloney respectfully shows that his objections are submitted one business day after the objections would have otherwise been due. The defense accordingly respectfully requests that the Court consider the objections to the Government's Proposed *Voir Dire* Questions set forth herein.

Respectfully submitted, this 1st day of May, 2023.

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CERTIFICATION

The undersigned certifies, pursuant to N.D.Ga.L.Civ.R. 7.1D, that the foregoing document has been prepared with one of the font and point selections (Book Antigua, 13 point) approved by the Court in N.D.Ga.L.Civ.R. 5.1B.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this 1st day of May, 2023, the undersigned served the foregoing document by filing the document via the Court's Case Management/Electronic Case Filing (CM/ECF) system, which will automatically serve notice of such filing on the following attorneys of record:

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